



## SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122  
Para sa Tagalog, tumawag sa 408-586-3051  
Para español, llame 408-586-3232

### **CITY OF MILPITAS - NOTICE OF SPECIAL MEETING**

*NOTICE IS HEREBY GIVEN* that a Special Meeting of the Milpitas City Council has been called. It is scheduled for 5:30 PM on Tuesday, June 30, 2020 via Teleconference/webinar only (no physical meeting space), which is permitted via California Governor's Executive Order.

Submit any Public Forum or Public Hearing comments during the meeting, to be read aloud, via form available online: <https://www.ci.milpitas.ca.gov/spcomment/>

For Public Hearing Item No. 1 only, voicemail message comments may be submitted to telephone number 408-586-3010 until 2:00 PM on June 30.

### **Meeting will be livestreamed. Go to:**

Facebook: <https://www.facebook.com/CityofMilpitas/>

YouTube: <https://www.ci.milpitas.ca.gov/youtube>

Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

### **AGENDA**

**TUESDAY, JUNE 30, 2020**

**MILPITAS, CA**

**5:30 PM CLOSED SESSION**

**FOLLOWED BY PUBLIC/OPEN SESSION**

### **CALL TO ORDER / ROLL CALL / PLEDGE**

### **ADJOURN TO CLOSED SESSION**

#### **(a) CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to California Government Code Section 54957.6

Agency designated representative: Rick Bolanos of Liebert Cassidy Whitmore

Employee Group: Milpitas Employees Association

#### **(b) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(d)(1)

County Sanitation District 2-3, West Valley Sanitation District, Burbank Sanitary District,

Cupertino Sanitary District, and City of Milpitas v. City of San Jose, City of Santa Clara

Santa Clara County Superior Court Case No. 18CV325480

### **(c) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to California Government Code Section 54956.9(d)(2)

City as Defendant

Request from Tributary Agencies (Cupertino Sanitary District, Burbank Sanitary District, County Sanitation District 2-3, and West Valley Sanitation District) to enter into Tolling Agreement regarding Cost-Sharing Agreement costs

### **(d) CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to California Government Code Section 54956.8

Potential Property: Assessor Parcel Numbers 028-34-001 through 028-34-094

Agency negotiator: Steven McHarris

Under negotiation: Price and terms of payment

**CLOSED SESSION ANNOUNCEMENT:** Report on action taken in Closed Session, if required per Calif. Government Code Section 54957.1, including the vote or abstention of each member present

## **APPROVAL OF AGENDA**

## **ANNOUNCEMENT OF CONFLICT OF INTEREST**

### **PUBLIC FORUM**

Those interested may address the Mayor and City Council on any subject not on tonight's agenda. People can submit comments in writing via the form available online, may list their name and city of residence for the Clerk's record.

Remarks read aloud by the City Clerk may be limited to three minutes, or less. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

Virtual public comments may be submitted on a form from the City website from this link:

<http://www.ci.milpitas.ca.gov/spcomment>

## **PUBLIC HEARING**

1. **Hold a Public Hearing, Consider and Approve Substantial Amendments to the FY 2017-2022 Consolidated Plan on Community Development Block Grant funding and Amendments to the Citizen Participation Plan (Staff Contact: Sharon Goei, 408-586-3260)**

#### Recommendations:

- a) Open the public hearing, hear testimony, then move to close the public hearing.
- b) Approve substantial amendments to the FY 2017-2022 Consolidated Plan regarding Community Development Block Grant (CDBG) funding.
- c) Approve amendments to the Citizen Participation Plan.
- d) Authorize the City Manager, or designee, to make any necessary changes to the Consolidated Plan and Citizen Participation Plan as needed to comply with CDBG submission guidelines.

## **AGENDA ITEMS**

2. **Receive a Staff Presentation and Provide Direction on the Milpitas Metro Specific Plan (Transit Area Specific Plan Update) (Staff Contacts: Ned Thomas, Planning Director, 408-586-3273 and Kevin Riley, TASP Manager, 408-586-3292)**

Recommendation: Receive a staff presentation and provide direction and input on goals, planning concepts, infrastructure needs, land use strategies, and community outreach.

**3. Approve and Authorize the City Manager to Execute an Amendment to Joint Use Agreement between the Milpitas Unified School District and the City of Milpitas for the Russell Middle School Fields (Staff Contact: Renee Lorentzen, 408-586-3409)**

Recommendation: Approve and authorize the City Manager to execute an amendment to the Joint Use Agreement between the Milpitas Unified School District and the City of Milpitas regarding use of Russell Middle School playing fields.

**CONSENT CALENDAR**

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the public or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to address any item on the consent calendar may request City Council (in writing) to remove it from the consent calendar.

**4. Approve Amendment to Joint Use Agreement between the Milpitas Unified School District and the City of Milpitas, and new Agreement for the Ongoing Operation and Maintenance of Joint Use Areas of McCandless Park and Mabel Mattos School (Staff Contact: Renee Lorentzen, 408-586-3409)**

Recommendations:

- a) Approve an amendment to the McCandless Property Joint Use Agreement between the Milpitas Unified School District and the City of Milpitas.
- b) Approve a new Agreement between the Milpitas Unified School District and the City of Milpitas for the Ongoing Operation and Maintenance of Joint Use Areas of McCandless Park and Mabel Mattos School.

**5. Receive Preview List of Anticipated Agenda Items for the Regular City Council Meeting on August 4, 2020 (Contact: Mayor Tran, 408-586-3029)**

**ADJOURNMENT**

**MILPITAS CITY COUNCIL CODE OF CONDUCT**

- Be respectful and courteous (words, tone, and body language).
- Model civility.
- Avoid surprises.
- Praise publicly and criticize privately.
- Focus on the issue, not the person.
- Refrain from using electronic devices while on the Council dais.
- Share information with all Councilmembers in advance of Council meetings.
- Disclose conflicts of interest and affiliations related to agenda items.
- Separate governing from campaigning.
- The Council speaks with one voice after making policy on issues.
- Respect the line between policy and administration.
- Council will hold one another accountable to comply with this Code of Conduct.

**KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact City Attorney e-mail: [cdiaz@ci.milpitas.ca.gov](mailto:cdiaz@ci.milpitas.ca.gov)

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

*If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to [mlavelle@ci.milpitas.ca.gov](mailto:mlavelle@ci.milpitas.ca.gov) prior to the meeting. You may request a larger font agenda or arrange for mobility assistance.*